HIGH COURT OF CHHATTISGARH AT BILASPUR

TAXC No. 28 of 2026

SHRI VICKY SHERWANI **versus** INCOME TAX OFFICER 3(1)

Order Sheet

18/03/2026	Mr. Siddharth Dubey, Counsel for the appellant. Mr. Ajay Kumrani, Advocate on behalf of Mr. Amit Chaudhari, Counsel for the respondents (on advance copy). Heard on admission. This appeal is admitted on the following substantial questions of law:- *"1. Whether the Income Tax Appellate Tribunal is justified in upholding and sustaining the addition to the tune of Rs.20,81,900/- (Rs.Twenty Lakh Eighty One Thousand Nine Hundred Only) under Section 68 of the Income Tax Act, 1961 in the case of Assessee/appellant for the assessment year 2016-17 in absence of "any books of account" which is a condition precedent for the applicability of Section 68 of the Income Tax Act,1961?* *2. Whether the Income Tax Appellate Tribunal erred in upholding the finding of fact that the assessee/appellant had failed in explaining the "source of cash deposit" and sustaining sequitur*

addition to the tune of Rs.20,81,900/- (Rs.Twenty Lakh Eighty One Thousand Nine Hundred Only) under Section 68 of the Income Tax Act, 1961 in the case of assessee/appellant for the assessment year 2016-17 as the same is arrived at by ignoring material evidence available on record? "

No notice is required to be issued as the respondent appeared through its counsel.

Also heard on I.A. No.01, an application for grant of stay under Order 41 Rule 5, read with sub-section (7) of Section 260 A of the Income Tax Act,1961.

At this stage, learned counsel appearing for the appellant does not want to press this application with a liberty to revive the same, if occasion so arises.

Accordingly, I.A. No.01 stands disposed of with the aforesaid liberty.

Call for the records and, post the matter for final hearing in its turn.

Sd/-	**Sd/-**
(Sanjay S. Agrawal) **Judge**	**(Amitendra Kishore Prasad)** **Judge**

Vishakha